

DISPOSITIONAL REVIEW HEARING

MCR 3.974/3.975
SCAO Form JC 19

A dispositional review hearing is conducted to permit court review of the progress made to comply with any order of disposition and case service plan, and court evaluation of the continued need and appropriateness for the child to be in foster care. If the child is not removed from home, the hearing determines the family's progress toward rectifying the conditions that brought the child within the court's jurisdiction.

PROCEDURAL ISSUES

- ☐ Must hold the hearing: Within 182 days after removal.
Thereafter:
 - Every 91 days for the first year.
 - Every 182 days the second year and beyond.
- ☐ Was legally sufficient notice sent to the parties, including the foster parents? Consider all written and oral information concerning the child from the child's parent, guardian, foster parent or relative.
- ☐ If the child is an Indian child, see the ICWA/MIFPA bench card.
- ☐ Has the LGAL contacted the child and complied with the statutory duties in [MCL 712A.17d](#)?
- ☐ Is the child present in court? If not, why?
- ☐ If a parent is in prison is he or she able to participate in person or via telephone/video conference?
- ☐ Did the court review a report from the Foster Care Review Board on this case and ensure that all parties had the opportunity to review the report and file objections?
- ☐ If there is only one respondent parent, what is the status of the other parent? What specific steps has the agency taken to locate and engage the other parent?

SAFETY ISSUES

- ☐ Have the caseworker and LGAL visited the home and found the child safe and well cared for?
- ☐ Have there been any instances of abuse/neglect while the child has been under court jurisdiction?
- ☐ Has the parent taken steps to remove safety threats since the last hearing?
- ☐ Can the child be safely returned home with or without in-home services?

CHILD PLACEMENT

- ☐ Have the non-custodial parent, putative father, or other relatives (paternal and maternal) been identified and thoroughly considered for placement? If not, what efforts have been made to locate them?
- ☐ Is the child placed in a safe home that meets the child's basic, medical, and special needs?
- ☐ Does the child have siblings who are already in foster care? If so, can the children be placed together? If the children cannot be placed together, is there a plan for sibling visitation?
- ☐ Has the child changed placements since the last court hearing? If so, what were the reasons for move?
- ☐ Does the child's placement allow the child to maintain school enrollment and other important family and social connections?

REVIEW OF CASE SERVICE PLAN

- ☐ Have the parents been assessed and offered appropriate services? Are they participating? Have they signed the treatment plan? Does the plan need to be modified?
- ☐ The extent to which the parent, guardian, or legal custodian complied with each provision of the case service plan, prior court orders, and any agreement between the parent, guardian, or legal custodian and the agency.
- ☐ Whether the parent, guardian, or legal custodian has benefited from the services provided or offered.
- ☐ The extent of parenting time or visitation, including a determination regarding the reasons that either was not frequent or never occurred.
- ☐ Any likely harm to the child if the child continues to be separated from his or her parent, guardian, or custodian.
- ☐ Any likely harm to the child if the child is returned to the parent, guardian, or legal custodian.
- ☐ Does the LGAL believe the services provided to the child are appropriate?

EVALUATE PROGRESS MADE TO REUNIFY FAMILY

- ☐ Determine whether the parent has made progress to rectify the conditions that caused the child to be placed into foster care or remain in care. If not, are additional services necessary?
- ☐ Determine if parental progress is sufficient to continue toward reunification. Should another permanency plan be considered?
- ☐ Determine if the agency has provided reasonable efforts towards reunification (or *active efforts* in the case of an Indian child). Describe efforts.
- ☐ Has the LGAL talked to the child about his or her permanency wishes? If so, what are they?

Continued on Back →

EDUCATIONAL WELL-BEING

- ☐ Is the child currently enrolled and attending school or a preschool program?
- ☐ If the agency is proposing a school change, does the case plan include factors considered by agency?
- ☐ If a school change is needed, is the agency working with the schools to minimize delays in enrollment/transfer of school records and credits?
- ☐ Is the child involved in any extracurricular activities? If so, are there resources available for the child to continue?

Academic Achievement

- ☐ Is the child currently reading/performing at grade level? If not, what is being done to address this?
- ☐ Is the child eligible for special education services? Is the child receiving any services to address the identified needs?
- ☐ Does the child have any physical or mental health issues that prevent regular school attendance?
- ☐ How many days of school has the child missed this year? Reason for absences?
- ☐ Has the child been subjected to disciplinary action at school? If so, why?
- ☐ Does the child have necessary clothing, supplies, and materials needed for school?
- ☐ Are the parents engaged in promoting the child's academic achievement? (e.g. conferences, homework, etc.)

PARENTING TIME

The court should order parenting time and sibling visitation in a frequency and duration appropriate to maintain the parent-child and/or sibling bond. Parenting time should not be used as a punishment for noncompliance with the case service plan.

- ☐ Is parenting time clearly defined in the order, including electronic contact (email, phone, etc.)
- ☐ Does parenting time incorporate continued parental responsibilities such as appointments, school events or extracurricular activities?
- ☐ Is parenting time at a location other than the agency appropriate?
- ☐ If supervised parenting time is requested, what are the specific safety risks preventing unsupervised parenting time?
- ☐ Is parenting time and sibling visitation occurring consistent with the needs of the child?



REQUIRED JUDICIAL FINDINGS / ORDERS

- ☐ Following review of the case service plan, the court may:
 - Order the child to be returned home.
 - Change the placement of the child.
 - Modify the dispositional order, or any part of the case service plan.
 - Enter a new dispositional order.
 - Continue the prior dispositional order.
- ☐ If out of home placement is necessary, continue to place the child with DHS for care and supervision.
- ☐ Order specific evaluation and/or services to be provided to the parent(s) and child. Assessments and services for parents must be culturally competent and allow parents to maintain community, cultural, or tribal ties.
- ☐ Issue any orders necessary to facilitate the timely provision of services, as well as family participation in those services.
- ☐ Schedule next hearing (next dispositional review hearing or permanency planning hearing).